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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
09/414,483	10/08/1999	MEHO KARALIC	247PIUS	3348

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CANADA

EXAMINER

HORTON, YVONNE MICHELE

ART UNIT	PAPER NUMBER
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3635

DATE MAILED: 03/26/2002

Please find below and/or attached an Office communication concerning this application or proceeding.

# Office Action Summary

Application No.  
09/414,483

Applicant(s)  
MEHO KARALIC

Examiner  
YVONNE M. HORTON

Art Unit  
3635



-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

## Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136 (a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If the period for reply specified above is less than thirty (30) days, a reply within the statutory minimum of thirty (30) days will be considered timely.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133).
- Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

## Status

- 1) ☒ Responsive to communication(s) filed on Feb 28, 2002
- 2a) ☐ This action is **FINAL**. 2b) ☒ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11; 453 O.G. 213.

## Disposition of Claims

- 4) ☒ Claim(s) 1-21 is/are pending in the application.
- 4a) Of the above, claim(s) \_\_\_\_\_ is/are withdrawn from consideration.
- 5) ☐ Claim(s) \_\_\_\_\_ is/are allowed.
- 6) ☒ Claim(s) 1-21 is/are rejected.
- 7) ☐ Claim(s) \_\_\_\_\_ is/are objected to.
- 8) ☐ Claims \_\_\_\_\_ are subject to restriction and/or election requirement.

## Application Papers

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☐ The drawing(s) filed on \_\_\_\_\_ is/are objected to by the Examiner.
- 11) ☐ The proposed drawing correction filed on \_\_\_\_\_ is: a) ☐ approved b) ☐ disapproved.
- 12) ☐ The oath or declaration is objected to by the Examiner.

## Priority under 35 U.S.C. § 119

- 13) ☒ Acknowledgement is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d).
- a) ☐ All b) ☐ Some\* c) ☒ None of:
- ☒ Certified copies of the priority documents have been received.
  - ☐ Certified copies of the priority documents have been received in Application No. \_\_\_\_\_.
  - ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).
- \*See the attached detailed Office action for a list of the certified copies not received.
- 14) ☐ Acknowledgement is made of a claim for domestic priority under 35 U.S.C. § 119(e).

## Attachment(s)

- 15) ☐ Notice of References Cited (PTO-892)
- 16) ☐ Notice of Draftsperson's Patent Drawing Review (PTO-948)
- 17) ☐ Information Disclosure Statement(s) (PTO-1449) Paper No(s). \_\_\_\_\_
- 18) ☐ Interview Summary (PTO-413) Paper No(s). \_\_\_\_\_
- 19) ☐ Notice of Informal Patent Application (PTO-152)
- 20) ☐ Other:

**DETAILED ACTION**

***Continued Prosecution Application***

1. The request filed on 2/28/02 for a Continued Prosecution Application (CPA) under 37 CFR 1.53(d) based on parent Application No. 09/414,483 is acceptable and a CPA has been established. An action on the CPA follows.

***Priority***

2. Acknowledgment is made of applicant's claim for foreign priority based on an application filed in Canada on 10/08/99. It is noted, however, that applicant has not filed a certified copy of the Canadian application as required by 35 U.S.C. 119(b).

***Claim Objections***

3. Claim 7 stands objected to under 37 CFR 1.75(c), as being of improper dependent form for failing to further limit the subject matter of a previous claim. Applicant is required to cancel the claim(s), or amend the claim(s) to place the claim(s) in proper dependent form, or rewrite the claim(s) in independent form. Claim 7 depends upon itself.

4. Claim 7 remains objected to because of the following informalities: In claim 7, line 2 the phrase "said fiber material at at least one side of said frame" is not appropriate grammar; and in line 4, --to-- should be inserted after "as". Appropriate correction is required.

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***Claim Rejections - 35 USC § 102***

5. The following is a quotation of the appropriate paragraphs of 35 U.S.C. 102 that form the basis for the rejections under this section made in this Office action:

A person shall be entitled to a patent unless --

(b) the invention was patented or described in a printed publication in this or a foreign country or in public use or on sale in this country, more than one year prior to the date of application for patent in the United States.

6. Claims 1-5 are rejected under 35 U.S.C. 102(b) as being anticipated by US Patent

#4,292,775 to Howard. In figures 1 and 2, Howard teaches the use of a building component comprising: a plurality of lengths of lumber, 22, assembled into a frame. Regarding claims 2 and 3, Howard also includes a foam insulation material, 24, within the frame; a plaster material, 27, placed on one side of said frame; and reinforcement sheet of solidified fiber reinforced composite material, 20, adhered to said lumber lengths to thereby form a heat insulating barrier. In reference to claim 4, the reinforcing material is a mesh (20) and is embedded in the plaster (27). Regarding claim 5, the reinforcing sheet (20) overlaps the major peripheral faces (22) of the frame, see Figure 2.

7. Claims 6-11,13 and 14 are rejected under 35 U.S.C. 102(b) as being anticipated by US Patent #4,292,775 to Howard. The structure of Howard inherently discloses the method steps of connecting the plurality of lumber lengths (22) to form a frame; forming a coating of material (27) having a mesh (20) disposed therein; applying the coating (27) and mesh (20) to at least one side of the frame, see Figure 1; causing the coating (27) and mesh (20) to overlap and adhere to the lumber lengths (22).

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*Claim Rejections - 35 USC 103*

8. The text of those sections of Title 35, U.S. Code not included in this action can be found in a prior Office action.

9. Claims 15-18 are rejected under 35 U. S. C. 103 (a) as being unpatentable over US Patent # 4,292,775 to Howard in view of US Patent # 6,088,982 to Hiesberger. As detailed in paragraph 6 above Howard discloses the basic claimed building component except for the use of metal corner reinforcements. Although Howard does not disclose the use of corner reinforcements, corner reinforcements are old and very well known in the art of building frames. Even so, Hiesberger teaches that it is known in the art to provide a building frame with metal corner connectors (200). Thus, as regarding claim 15, it would have been obvious to one having ordinary skill in the art to provide the building component of Howard with the corner connectors of Hiesberger in order to maintain the proper positioning between framing components and to substantially strengthen the structural integrity of the frame as a whole. By including connectors at the corner elements, the frame is stiffened at the joints of adjacent members and at the corners of the frame as a whole and is thereby given added strength to withstand additional loads and the frame members are also prevented from direct weathering because they are shielded therefrom by the connector. In reference to claims 16-18, the corner connector (200) is box-shaped having a pair of lateral flanges (210, 220) with vertical (240,250) flanges extending along the pair of lateral flanges (210, 22).

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10. Claims 12 and 19-21 are rejected under 35 U.S.C. 103(a) as being unpatentable over US Patent #4,292,775 to Howard in view of US Patent # 6,088,982 to Hiesberger. As detailed in paragraph 7 above Howard discloses the basic claimed method except for the use of metal corner reinforcements. Although Howard does not disclose the use of corner reinforcements, corner reinforcements are old and very well known in the art of building frames. Even so, Hiesberger teaches that it is known in the art to provide a building frame with metal corner connectors (200). Thus, as regarding claims 12 and 19, it would have been obvious to one having ordinary skill in the art to provide the method of forming a building component of Howard with including the step of including and installing the corner connectors of Hiesberger in order to maintain the proper positioning between framing components and to substantially strengthen the structural integrity of the frame as a whole. By including connectors at the corner elements, the frame is stiffened at the joints of adjacent members and at the corners of the frame as a whole and is thereby given added strength to withstand additional loads and the frame members are also prevented from direct weathering because they are shielded therefrom by the connector. In reference to claims 20-21, the corner connector (200) is box-shaped having a pair of lateral flanges (210, 220) with vertical (240,250) flanges extending along the pair of lateral flanges (210, 22).

***Response to Arguments***

11. Applicant's arguments with respect to claims 1-14 have been considered but are moot in view of the new ground(s) of rejection.

12. Any inquiry concerning this communication or earlier communications from the examiner should be directed to Yvonne M. Horton at (703) 308-1909 Art Unit 3635.

March 24, 2002

